



IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

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FILED IN DISTRICT COURT  
OKLAHOMA COUNTY

MAR 25 2013

TIM RHODES  
COURT CLERK

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JAMIE MEYER, )  
vs. )  
ALLSTATE FIRE AND CASUALTY )  
INSURANCE COMPANY a foreign )  
Insurance Company, )  
Defendant. )

) CASE NO.:  
CJ - 2013 - 1796

PETITION

COMES NOW the Plaintiff, Jamie Meyer, and for her causes of action against the Defendant, Allstate Fire and Casualty Insurance Company ("Allstate"), a foreign Insurance Company, allege and state as follows:

1. This Petition is the re-filing of a Petition that was originally filed on September 19, 2012, styled identically and given Case No. CJ-2012-5937. This case was dismissed without prejudice on March 13, 2013. This Petition is being re-filed pursuant to the Oklahoma Saving Statute.
2. Plaintiff is a resident of Oklahoma County, State of Oklahoma.
3. Defendant, Allstate, is a foreign insurance company which does business within Oklahoma County, State of Oklahoma. This Court has proper jurisdiction.
4. That on or about September 15, 2011, Plaintiff, Jamie Meyer, was a passenger in a vehicle traveling eastbound on N.W. 10<sup>th</sup> Avenue, near May Avenue, in Oklahoma City, Oklahoma. The vehicle Plaintiff was in was rear-

EXHIBIT

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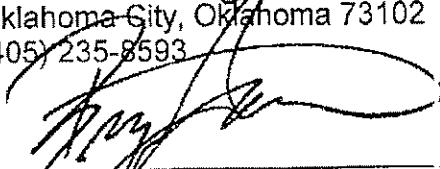
ended by an underinsured motorist. Plaintiff suffered personal injuries in this wreck.

5. Defendant, Allstate, is/was the UM/UIM insurance carrier and had in effect a policy of insurance that affords coverage to the Plaintiff. This policy is identified as Policy number 921302679 and is a proper party to this lawsuit.
6. Plaintiff asserts that Allstate has breached the insurance policy in question, failed to act in good faith with its insured (thereby acting in bad faith), violated Oklahoma statutes with regard to claim handling, and negligently handled this claim.
7. That Defendant, Allstate, by and through their representatives in question have breached the insurance contract in question. The breaches of the contract include, but are not limited to, the following:
  - a. Failing to pay benefits properly due;
  - b. Failing to properly investigate this claim;
  - c. Failing to properly evaluate this claim;
  - d. Violating Oklahoma law in the handling of this claim;
  - e. Failing to consider Plaintiffs injuries and medical treatment and incurred bills;
  - f. Failing to handle this claim in good faith as required by law;
  - g. Violating Oklahoma statutes with regard to the handling of this claim and specifically violating the Fair Claims Practices Act.
  - h. Plaintiffs have been damaged by the wrongful acts of the Defendants.
8. Further, as the result of Defendant's acts which were in reckless disregard of the rights of the Plaintiffs, Plaintiff is entitled to punitive damages.
9. The Defendant, Allstate, failed to act in good faith in handling this claim and have thereby acted in bad faith. As a result thereof, Plaintiff is entitled to actual and punitive damages.

10. That as a result of the collision described the Plaintiff, Jamie Meyer, suffered personal injuries causing her to seek medical treatment. Plaintiff has experienced physical pain, mental anguish and will, in all reasonable probability, continue to do so in the future by reason of the nature of her injuries. Plaintiff has been caused to incur medical charges and expenses in the past and will continue to incur medical expenses and expenses in the future for said injuries. Plaintiff has also suffered other out of pocket expenses as a result of the collision described. Plaintiff has further suffered a loss of earnings as a result of the collision described.
11. By reason of the above and foregoing, the Plaintiff, Jamie Meyer, has been damaged in the sum in excess of Seventy-Five Thousand and No/100 Dollars (\$75,000.00) for said injuries.

**WHEREFORE**, the Plaintiff, Jamie Meyer, prays for judgment against the Defendant, Allstate Fire and Casualty Insurance Company, for a total sum in excess of Seventy-Five Thousand and No/100 Dollars (\$75,000.00), costs of this action and for such other and further relief as the Court deems just and proper.

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ATTORNEYS FOR PLAINTIFF

**ATTORNEY LIEN CLAIMED  
JURY TRIAL DEMANDED**